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Attorney Docket No. 15966-675 CIP 2 (Cura-1175 CIP2)

DECLARATION

As below named inventors, we hereby declare:

That we made and conceived the invention described and claimed in patent application U.S.S.N 09/970,670, filed in the United States of America on October 3, 2001, titled NOVEL POLYPEPTIDES AND NUCLEIC ACIDS ENCODING SAME.

That we made and conceived this invention while employed by CuraGen Corporation. That the invention is related to the work we are employed to perform and was made within the scope of our employment duties. That the invention was made during working hours and with the use of facilities, equipment, materials, funds, information and services of CuraGen Corporation.

That to the best of our knowledge and belief the invention was not made or conceived in the course of, or in connection with, or under terms of any contract, subcontract or arrangement entered into with or for the benefit of the United States Atomic Energy Commission or its successors: Energy Research and Development Administration or the Department of Energy.

The undersigned inventors declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

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